

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MEREDITH McGLOWN,

11 Plaintiff,

v.

12 STATE OF WASHINGTON, *et al.*,

13 Defendants.

14 CASE NO. C17-0202-JCC

MINUTE ORDER

15 The following Minute Order is made by direction of the Court, the Honorable John C.
16 Coughenour, United States District Judge:

17 This matter comes before the Court on the referral notice from the United States Court of
18 Appeals for the Ninth Circuit (Dkt. No. 7). The Ninth Circuit referred this matter for the limited
19 purpose of determining whether *in forma pauperis* status should continue for Plaintiff Meredith
20 McGlown's appeal or whether the appeal is frivolous or taken in bad faith. (*Id.* at 1.)

21 "An appeal may not be taken in forma pauperis if the trial court certifies in writing that it
22 is not taken in good faith." 28 U.S.C. § 1915(a)(3). "[A]n appeal is not taken in good faith . . . if
23 there is some evident improper motive or if no issue is presented which is not plainly frivolous."
24 *Tweedy v. United States*, 276 F.2d 649, 651 (9th Cir. 1960); *see also Hooker v. American*
25 *Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002) ("If at least one issue or claim is found to be non-
26 frivolous, leave to proceed in forma pauperis on appeal must be granted.").

1 The Court dismissed McGlown's case without prejudice because she failed to articulate
2 an actionable legal claim and because it appeared the Court lacked jurisdiction over this case.
3 (Dkt. No. 5 at 1-2.) McGlown now appeals that dismissal. (Dkt. No. 6.) However, her notice of
4 appeal does not address the deficiencies in his complaint. (*See id.*)

5 Therefore, the Court CERTIFIES that McGlown's appeal is not taken in good faith and
6 REVOKES McGlown's *in forma pauperis* status. The Court DIRECTS the Clerk to send this
7 order to the Court of Appeals.

8 || DATED this 11th day of April 2017.

William M. McCool
Clerk of Court

s/Paula McNabb
Deputy Clerk